

Students

Sexual Harassment

Philosophy

Sexual harassment will not be tolerated among students of the Thomaston School District. It is the policy of the Thomaston Board of Education to maintain a learning and working environment that is free from sexual harassment. Any form of sexual harassment is forbidden whether by students, supervisory or non-supervisory personnel, individuals under contract, or volunteers subject to the control of the Board. Students are expected to adhere to a standard of conduct that is respectful and courteous to employees, to fellow students, and to the public.

Definition

Sexual harassment is defined as follows:

Any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when (1) submission to such conduct is made either explicitly or implicitly a term or condition of educational benefit or employment (2) submission or rejection of such conduct by an individual is used as the basis for decisions affecting the individual's education or employment or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's educational performance or work performance or creating an intimidating, hostile, or offensive educational or working environment.

Specific behaviors that are unwanted and sexual in nature that could constitute sexual harassment are:

- Touching
- Verbal comments
- Sexual name calling
- Sexual rumors
- Inappropriate public display of affection
- Gestures
- Jokes/cartoons/pictures
- Inappropriate statements of a sexual nature
- Pulling at clothes
- Letter or notes of a sexual nature

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Reporting Procedure

1. If a student believes that he/she is being or has been harassed, that person should immediately inform the harasser that his/her behavior is unwelcome, offensive, in poor taste, unprofessional, or highly inappropriate.
2. As soon as a student feels that he/she has been subjected to sexual harassment, he or she should make a written complaint to the appropriate school personnel, or the Principal or his/her designee. The student and parent will be provided a copy of this policy and made aware of his/her rights.
3. In the written complaint the complainant should state the:
 - A. Name of the complainant
 - B. Date of the complaint
 - C. Date of the alleged harassment
 - D. Name or names of the harassers
 - E. Location where such harassment occurred
 - F. Name of any witnesses
 - G. Detailed statement of the circumstances constituting the alleged harassment.
4. Any student who makes an oral complaint of harassment to any of the above mentioned personnel will be provided a copy of this policy and will be instructed to make a written complaint pursuant to the above procedure.
5. All suspected cases of child abuse will be reported to the Thomaston Police Department and the State Department of Children and Families.
6. All complaints are to be forwarded immediately to the Principal or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Superintendent.
7. The Principal and/or designee will notify the parents of the complainant that his/her child has filed a sexual harassment report which will be investigated and acted upon within five (5) working days, if possible.

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Reporting Procedure (continued)

8. If possible, within five (5) working days of receipt of the complaint, the Principal or designee handling the complaint shall commence an effective, thorough, objective and complete investigation of the complaint. The investigator shall consult with all individuals reasonably believed to have relevant information, including the student and the alleged harasser, any witnesses to the conduct, and victims of similar conduct that the investigator reasonably believes may exist. The investigation shall be free of stereotypical assumptions about either party. The investigation shall be carried on discreetly, so that confidentiality is maintained insofar as possible while still conducting an effective and thorough investigation. Throughout the entire investigative process, the due process rights of the alleged harasser will be upheld.
9. The investigator shall make a written report summarizing the results of the investigation and proposed disposition of the matter, and shall provide copies to the parents of the complainant, the alleged harasser, and the Superintendent of schools.
10. If the student complainant is dissatisfied with the result of the investigation, he or she may file a written appeal to the Superintendent, who shall review the investigator's written report, the information collected by the investigator together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes harassment. The Superintendent may also conduct a reasonable investigation, including interviewing the complainant and alleged harasser and any witnesses with relevant information. After completing this review, the Superintendent shall respond to the complainant, in writing, as soon as possible.

If after a thorough investigation, there is reasonable cause to believe that sexual harassment has occurred, the district shall take all reasonable actions to ensure that the harassment ceases and will not recur. Actions taken in response to allegations of harassment will result in disciplinary action.

The harasser and any other students or employees, if appropriate, will be informed that appropriate action shall be taken if further acts of harassment or retaliation occur. If further acts of harassment or retaliation do occur, appropriate actions shall be taken up to and including suspension and/or expulsion from school.

Copies of this policy will be distributed and reviewed annually with all students and parents.

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Legal Reference: Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000-e2(a).
Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/88.
Title IX of the Education Amendments of 1972, 34 CFR Section 106.
Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)
Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26,1998)
Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26,1998)
Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26,1998)
Davis v. Monroe County Board of Education, No. 97-843 (U.S. Supreme Court, May 24, 1999).
Connecticut General Statutes
46a-60 Discriminatory employment practices prohibited.
Constitution of the State of Connecticut, Article I, Section 20.

Policy adopted: February 12, 2018

THOMASTON PUBLIC SCHOOLS
Thomaston, Connecticut